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Mr.

Oxford Democrat.

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NORTH EASTERN BOUNDARY.

GOVERNOR'S MESSAGE.

To the Senate and House of Representatives:

I hereewith communicate for your consideration, a communication addressed to me by the Secretary of State of the United States, with the correspondence therein referred to, in reference to the North Eastern Boundary.

This communication is made by request of the President of the United States, and in compliance with his suggestion, I ask your careful and deliberate attention to the facts and propositions therein contained. The duty devolving upon me would perhaps be performed by the simple communication of these documents, without any remarks or comments of my own. But this subject, always interesting to Maine, has become more so by this direct application on the part of the President of the United States, for the expression of the wishes and will of this State in reference to the adjustment of this long pending question; and feeling a deep interest personally and officially in every thing that relates to it, and anxious mainly that the rights and honor of Maine should not be jeopardized or impaired, I feel it to be a duty which I owe to the people who have assigned me my post of responsibility, to speak my honest opinions and views, plainly and unreservedly, upon the grave matters now submitted to you. I ask for my views no other weight or influence than such as their intrinsic value may entitle them to, and I desire only to be regarded as connected with you in guarding with watchful care the great interest entrusted to us, and doing my duty in this important crisis according to my best judgment. If my views are erroneous, or if I am in your opinion unnecessarily strict and severe in my judgement of intentions, or too limited in my suggestions of policy—I trust to you to correct or overrule me. I assume no right to dictate or control your action.

In the communication from Mr. Forsyth, in connection with a very lucid and interesting history of the negotiations between the two Governments, we are informed that the discussions between the Federal Government and that of Great Britain, have arrived at a stage in which the President thinks it due to the State of Maine and necessary to the intelligent action of the General Government, to take the sense of this State in regard to the expediency of opening a direct negotiation for the establishment of a *conventional line*, and if Maine should deem an attempt to adjust the matter in controversy in that from advisable, then to ask the consent of Maine to the same.

The grave and important question therefore presented for your consideration, as you will more fully perceive, by the documents referred to, is whether you will clothe the Executive of the United States with the unlimited power of fixing a new and conventional line, in lieu of the treaty boundary.

It is certainly gratifying to perceive that the right of Maine to be heard and consulted, before the treaty line is abandoned, is fully recognized by the General Government; and I have no doubt the Legislature of Maine will approach the consideration of the proposition in the same spirit in which it is offered, and with an anxious desire to terminate this long pending and embarrassing question, if it can be done without too great a sacrifice of honor and right. Although the documents are somewhat voluminous, the proposition is simple and simple in its character, and easily understood.

I have given to the subject all the reflection and examination I have been able to bestow, since the reception of the documents; but with a most anxious desire to acquiesce in any feasible scheme of adjustment, or any reasonable proposition for a settlement, I feel constrained to say that I see little to hope and much to fear, from the proposed departure from the treaty line.

I think that the most cursory examination of the correspondence and movements on the part of Great Britain, must satisfy any one that the leading object which her diplomats have had in view, since the result of the arbitration, has been to destroy or lay aside the treaty line, to lead us away from the clear, unambiguous, definite terms of that treaty, and involve us in interminable discussions, propositions and replies in relation to conventional lines, no one of which will be accepted unless it gives to them a large part of our territory.

We find that in May 1833, very soon after the President, in pursuance of the advice of the Senate, had opened a new negotiation to ascertain the line according to the treaty of 1783—*to which treaty-line* the negotiation was of course confined, the British Minister suggested that this perplexed, and hitherto interminable question, could only be set at rest by the aban-

donment of the defective description of Boundary contained in the treaty, and by the two governments mutually agreeing upon a conventional line, more convenient to both parties."

The same intention is apparent in the refusal to acquiesce in the proposition to refer the settlement of the treaty line to a commission, to be constituted of an equal number chosen by each party, with an umpire to be designated by a friendly power from the most skillful men in Europe; or secondly, that the commission should be entirely composed of such scientific men in Europe, to be selected by some friendly powers to be attended in the survey and view of the country by agents appointed by the parties.

It was in answer to this proposition, that the suggestion of the impracticability of the treaty line was made, and the intention became apparent to lead us away from that inconvenient obstacle to their wishes and plans—the treaty language. The proposition was so equitable and fair—so just to all parties, and so full of promise of adjustment upon proceedings satisfactory to us, that it could not be peremptorily rejected.

But although it was entertained, the answer to it clogged the proposition with so many conditions, and so limited the powers of the commissioners, and required the concession on our part of the all important fact that the St. Johns and Restigooch are not Atlantic rivers—that the original plan was at once deprived of vitality or power or use, and in fact the reference would have been merely an agreement to abide by the decision, provided both parties should be satisfied and assent to it.

It is certainly somewhat remarkable that if the assumed fact is true, viz. that the treaty line can not be laid down or fixed according to the treaty, that so much unwillingness should be exhibited to have an attempt made to ascertain it,—or if Great Britain is so strongly convinced

In 1814, when the negotiations which resulted in the Treaty of Ghent, were in progress, no pretence was made that our line did not extend beyond the St. John's and according to our present views.

Great Britain then by her negotiators ex-

pressly stated that she "desires the revision of the frontier between her North American dominions and those of the United States, not with any view to an acquisition of territory, as such, but for the purpose of securing her possessions, and preventing future disputes, and such a variation of the line of frontier as may secure a direct communication between Quebec and Halifax." And when our negotiators peremptorily refused to agree to any cession of territory, the answer was that they "were not prepared to anticipate the objections contained in the note of the American Plenipotentiaries, that they were instructed to treat for the revision of their boundary lines, with the statement which they have subsequently made, that they had no authority to *cede* any part, however insignificant, of the territories of the United States, although the proposal left it open for them to demand an *equivalent* for such cession in territory or otherwise." And yet now that territory, which they then offered to pay us for, is claimed as clearly their own, and that line which then was admitted and recognized as including the territory as claimed by us, is now declared to be impracticable and must be abandoned, and a more convenient one sought for and established.

I feel most sensibly, that this question now presented is one of very grave importance, and that the action now to be had by the Legislature of Maine, may, and probably will have a very material influence upon the relations between this Government and Great Britain.

The painful conviction is forced upon me, that Great Britain is determined to hold this territory that she now claims, deeming it highly important as securing a connection between her provinces in time of war and peace, and I reiterate the assertion heretofore made, that "we have little to hope from the forbearance or action of the British Government." Their aim is apparently to expunge the treaty-provision, and to hold on with an unyielding grasp to their modern claim, and to reject all propositions having the treaty line for their basis. I can not but regard it as unfortunate, that our General Government, although it has recognized our right to be consulted before any conventional line should be adopted, has in a degree, at least, given countenance to the propriety and expediency of departing from the treaty line.

In a note from the Department of State, dated 28th April, 1835, Sir Charles R. Vaughan was

assured that his prompt suggestion, as His Britannic Majesty's Minister, that a negotiation should be opened for the establishment of a conventional boundary between the two countries, was duly appreciated by the President, who, had he possessed like powers with His Majesty's Government over the subject, would have met

the suggestion in a favorable spirit." Such a suggestion, it seems to me, although dictated

by a sincere desire to end the controversy, was well calculated to lead our op-

ponents as a matter of policy on their part, to

elbow the previous proposition with insuperable

difficulties, and to encourage them to persevere

in their attempt to obliterate the treaty language.

I think the same effect must have resulted from

the singular announcement to the British Government by the late President of the United

States in 1832, in opening the negotiation under

not only of the western boundary line of Nova Scotia, but of the source of the Penobscot and even the Kennebec, so that this north line must necessarily cross the St. John, but it will cross it in a part of it almost at the foot of the highlands and where it ceases to be navigable.—

But if a north line is traced from the source of the Chepaukuatecook, it will not only cross the river St. John, within about fifty miles from Fredericton, the metropolis of New Brunswick but will cut off the sources of the rivers which fall into the Bay of Chaleurs, if not of many others, probably of the Néramichi, among them which fall into the Gulf of St. Lawrence, and thereby be productive of inconvenient conse-

quences to the two powers, if not of contention between them, instead of "terminating their differences in such a manner, as may be best calculated to produce mutual satisfaction and good understanding, which is one of the principal and avowed objects of the Treaty."—At this time there was no doubt that the line running due north to the highlands of the treaty must cross the St. John's River, and if the starting point was carried east, it is admitted that such line would cut off the Restigooch, which is nearly as far north as our claim. And certainly the line was to run equally far north, whether the starting point was east or west—unless the highlands inclined to the south. And yet we are now required as a preliminary to admit that the St. John and Restigooch are not Atlantic rivers, within the meaning of the treaty.

In 1814, when the negotiations which resulted in the Treaty of Ghent, were in progress, no pretence was made that our line did not extend beyond the St. John's and according to our present views.

Great Britain then by her negotiators expressly stated that she "desires the revision of the frontier between her North American dominions and those of the United States, not with any view to an acquisition of territory, as such, but for the purpose of securing her possessions, and preventing future disputes, and such a variation of the line of frontier as may secure a direct communication between Quebec and Halifax." And when our negotiators peremptorily refused to agree to any cession of territory, the answer was that they "were not prepared to anticipate the objections contained in the note of the American Plenipotentiaries, that they were instructed to treat for the revision of their boundary lines, with the statement which they have subsequently made, that they had no authority to *cede* any part, however insignificant, of the territories of the United States, although the proposal left it open for them to demand an *equivalent* for such cession in territory or otherwise." And yet now that territory, which they then offered to pay us for, is claimed as clearly their own, and that line which then was admitted and recognized as including the territory as claimed by us, is now declared to be impracticable and must be abandoned, and a more convenient one sought for and established.

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elbow the previous proposition with insuperable

difficulties, and to encourage them to persevere

in their attempt to obliterate the treaty language.

I think the same effect must have resulted from

the singular announcement to the British Government by the late President of the United

States in 1832, in opening the negotiation under

the vote of the Senate, for a settlement of the

Treaty line, "That if the Plenipotentiaries

should fail in a new attempt to agree upon the

line intended by the Treaty of 1783, there

would probably be less difficulty than before in

fixing a convenient boundary, as measures

were in progress to obtain from the State of

Maine, more extensive powers than were before possessed, with a view of overcoming the constitutional obstacles which had opposed themselves to such an arrangement."

If a direct proposition had come to us, through the General Government, for a specific line of boundary, yielding to us territory, or privileges of navigation equivalent to the unsettled territory which we might cede to them, it would certainly have presented the question in a different aspect. But the question now is, as I understand it, whether we shall take the lead in abandoning the treaty, and volunteer pro-

positions for a conventional line.

In respect to the proposition for additional surveys, as it seems to me inexpedient for this State to acquiesce in the proposed negotiation for a conventional line, until it is demonstrated that the treaty line is utterly impracticable and void for uncertainty,—I can have no doubt that the line ought to be run, either by a joint commission of exploration and survey, or independently by our General Government, by its own surveyors. It is evident to me, that Great Britain is determined to avoid, if possible, such an examination and exploration and establishment of the line, and such proof of the real facts of the case.

It will be perceived that the President intimates that if the consent of Maine is not obtained, for entering into direct negotiations for a conventional line, and all other measures failing "He will feel it to be his duty to submit another proposition to the Government of Great Britain to refer the decision of the question to a third party."

As this right is claimed on the part of the President as within his constitutional powers, without the consent of Maine, and as no action on the part of Maine in reference to this mode of adjustment is asked by the President, I forbear to comment upon it, but refer it to your consideration.

Our situation in relation to this interesting question at this moment demands the exercise of cool and dispassionate judgment, and careful, cautious but firm action. We owe it to the General Government, and our sister States, to do nothing rashly or hastily—to bear and forbear for the sake of the peace of the nation and the quiet of our borders. But we have a duty to perform to ourselves and our constituents, who have entrusted the rights and honor of Maine to our keeping. Relying upon your action upon them, in the confident hope that the rights and the territory secured to us by our fathers, in the field and the cabinet, will not be impaired or surrendered.

EDWARD KENT.

COUNCIL-CHAMBER, }
March 14, 1838. }

STATE OF MAINE.

IN SENATE.

March 14, 1838.

Read and referred to the Committee on the

North Eastern Boundary.

Sent down for concurrence.

NATH'L S. LITTLEFIELD,

President.

HOUSE OF REPRESENTATIVES.

March 14, 1838.

Read and referred in concurrence; and ordered

that said Committee be instructed to

procure the printing of 5000 copies thereof together with the accompanying papers for the

use of the Legislature as soon as it can be done in the printing offices of this and the neighboring towns.

Sent up for concurrence.

E. H. ALLEN, Speaker.

IN SENATE.

March 14, 1838.

The Senate nonconcur the House in the

printing of these documents.

Sent down for concurrence.

N. S. LITTLEFIELD,

President.

HOUSE OF REPRESENTATIVES.

March 15, 1838.

The House recede and concur.

E. H. ALLEN, Speaker.

EXTRACT OF A LETTER

FROM

HON. JOHN FORSYTH TO GOV. KENT.

In January last, Mr. Fox, the British Minister at Washington, made a communication to

the Department of State in which with reference to the objection preferred by the American Government, that it had no power, without

the consent of Maine, to

formed, 7th February, that the President experienced deep disappointment in finding that the answer just presented on the part of the British Government to the proposition made by negotiation for the settlement of a conventional settlement of the boundary question, was so course, can be obtained.

Whilst the obligations of the Federal Government to do all in its power to effect a settlement of this boundary, are fully recognized on the part of Her Majesty's Government, respecting the appointment of a Commission of Exploration and [do] so specifically by mutual consent, no other Survey—but that a copy of it would be transmitted to the Executive of Maine, for the purpose of ascertaining the sense of the State and of all other measures following, the President will pose upon the expediency of meeting the feel it to be his duty to submit another pro-views of Her Majesty's Government, so far as were therein developed.

Opinion was taken at the same time to explain not, however, be satisfied in taking this final step without having first ascertained the opinion of the 10th of January last, that the parallel of latitude adopted as a conventional subject of negotiation for the establishment of a substitute for the line designated in the treaty for the boundary westward from the Lake of the Woods, passed over territory within the exclusive jurisdiction of the General Government, without trenching upon the rights or claims of any member of the Union; and the legitimate sense of the State of Maine with respect to the power of the Government therefore to agree to the expediency of attempting to establish a conventional line of boundary between that State and the British possessions, by direct negotiation eastward from the River Connecticut, would transcend its constitutional powers, since such a measure could only be carried into effect by violating the jurisdiction of a Sovereign State, and assuming to alienate a portion of the territory claimed by such State.

Reply to the observation of Mr Fox, that it was difficult to understand upon what ground additional surveys and explorations might be useful, either in leading to a satisfactory adjustment of the controversy according to the terms of the treaty, or in enabling the parties to decide more understandingly upon the expediency open- ing a negotiation for the establishment of a line that would suit their mutual conveniences, and be reconcilable to their conflicting interests.

It is to be observed that it was supposed to have been, without regard to the extent of territory lost or acquired by the respective parties—and in the hope that the great importance of terminating this controversy by establishing a definitive and indisputable boundary, would be seen and acknowledged by the British Government, and have a correspondent weight in influencing its decision—that the suggestion in Mr Bankhead's note of 28th December, 1833, of a part of the River St. John, as a portion of the general outline of a conventional boundary, apparently recognized the superior advantages of a River over a High-land boundary—and that no difficulty was anticipated on the part of Her Majesty's Government in understanding the grounds upon which such a proposal was expected to be entertained by it, since the precedent proposition of Mr Bankhead just alluded to, although based upon the principle of an equal division between the parties, could not be justified by it, as it would have given nearly two thirds of the disputed territory to Great Britain—that it was therefore fair to presume that the river line, in the opinion of Her Majesty's Government, presented advantages sufficient to counterbalance any loss of territory by either party, that might accrue from its adoption; and it was also supposed that another recommendation of this line would be seen by Great Britain in the fact that whilst, by its adoption, the right of jurisdiction alone would have been yielded to the United States over that portion of New Brunswick south of the St. John, Great Britain would have acquired the right of soil and jurisdiction of all the disputed territory north of that river.

To correct a misapprehension into which Mr Fox appeared to have fallen, the distinctive difference between the American proposition for a Commission, and the proposition as subsequently modified by Great Britain, was pointed out, and he was informed that although the proposal originated with this Government, the modification was so fundamentally important, that it entirely changed the nature of the proposition; and that the supposition, therefore, that it was rather for the Government of the United States than for that of Great Britain to answer the inquiry preferred by the Secretary of State for information relative to the manner in which the report of the Commission, as proposed to be constituted and instructed by the British Government, might tend to a practical result, was unfounded. Mr Fox was also given to understand that any decision made by the Commissarii constituted in the manner proposed by the United States, and instructed to seek for the highlands of the Treaty of 1783, would be binding upon this Government, and could be carried into effect without unnecessary delay, but if the substitute presented by Her Majesty's Government should be insisted on, and its principles be adopted, it would then be necessary to resort to the State of Maine for her assent in all proceedings relative to the matter, since any arrangement under it can only be for a conventional line to which she must be a party.

In conclusion, it was intimated to Mr Fox, that if a negotiation be entertained by this Government at all upon the unsatisfactory basis afforded by the British counterproposition or substitute, the President will not invite it, unless the authorities of the State of Maine shall think it more likely to lead to an adjustment of the question of boundary than the General Government deemed [it] to be although predisposed to see it in the most favorable light.

Your Excellency will perceive that, in the course of these proceedings, but without abandoning the attempt to adjust the treaty line, steps necessary, from the want of power in the Federal Government, of an informal character have been taken, to test the dispositions of the respective Governments upon the subject of substituting a conventional for the treaty line. It will also, be seen from the correspondence

number and titles of the Acts and Resolves we shall give to the friends who now deplore his death, and to the State and to the country which he served. To that strike us we proffer—alas! how little will it avail!

our sincere sympathy and condolence. He has gone from this place of earthly honors and human distinctions, to a seat in that "House which is not made with hands, eternal in the Heavens."

As a token of our regard for his many virtues, and of our respect for his memory, I move the adoption of the resolutions which I now submit.

The usual resolutions were then offered.

Mr REEDLES addressed the Senate as follows:

Mr. PRESIDENT: The message from the House of Representatives, just read, communicating the melancholy intelligence of the death of the Hon. TIMOTHY J. CARTER, Representative in Congress from Oxford Congressional District, A. M., for the purpose of nominating a Candidate to fill the vacancy in this Congressional District occasioned by the death of the Hon. T. J. CARTER. Each two hundred and twenty-five persons are deeply affected by the loss thus sustained by a numerous circle of relatives, his survivors being the public, and whereas it is no less a pleasure to mourn for it, than a duty, to make with becoming feelings, departed worth—Therefore,

Resolved, That the death of the Hon. THOMAS J. CARTER, late Representative in Congress from this District has brought suddenly to our homes a sense of pain and misery of great intensity, far exceeding what has been realized. Mr. Carter is no more. He died at Washington on the evening of the 14th inst. leaving an amiable and afflicted wife and one son of tender age to grieve them untimely loss. His last hours were度过 by his affectionate assiduity and by the presence of three of his brothers who hastened at the first news of his dangerous illness to tender all the aid and consolation in their power to bestow. All that skill, kindness and affection could do of no avail. He has been cast off in the prime of life in the midst of his years and usefulness, leaving to his friends but the memory of his love and unwilling regret for his early death. The sad event was announced to the two branches of Congress by Mr. Ruggles in the Senate and Mr. Evans in the House in a very feeling and appropriate manner. His funeral was attended with all the ceremonies of respect due to his station and private worth. Our own State Legislature has joined its tributes of respect for his character and regret for his loss, and his neighbors and friends in this place have testified their regard for his memory and their sympathy for his bereaved family in an appropriate manner. All has been done that public

and private respect and sympathy can do on this melancholy occasion. But in the bosom of the near relatives of the deceased and of his more intimate associates, there are feelings of grief which language fails to express and which no outward mourning can truly represent. Time and the higher and holier consolations of religion alone can soothe their afflictions and blunt the edge of their grief. In their hearts the memory of his many virtues, his amiable character, the many excellent qualities of his head and heart, will be cherished and never forgotten till all earthly recollections fade.

Resolved, That a copy of the foregoing Preamble and Resolutions be transmitted to the widow of the deceased, and also published in the Newspaper of our County, ALANSON MELLEN, Chairman, LEVI STOWELL, Secretary.

From WASHINGTON.—Our correspondent announces the melancholy intelligence of the death of another member from Maine, the Hon. TIMOTHY JARVIS CARTER, M. C.—died at 10 o'clock Wednesday evening. It will be seen by the following communications sent to us by our correspondent, that every possible testimony of respect have been ordered.—P. Adv.

HOUSE OF REPRESENTATIVES.

As soon as the House was organized this morning—

Mr. EVANS, of Maine, addressed the Chair in the following words:

Mr Speaker, these badges of mourning which we still wear denote that death has lately been in the midst of us. Again the arrow has flown, and again has the fatal shaft been sent, with unerring aim, into a small, and already broken, rank.

It is my melancholy office to announce

that, since the last adjournment of the House of

Representatives, TIMOTHY JARVIS CARTER, then one of its members, from the State of Maine, has surrendered up the being who gave it life upon which many anxious hopes depended, and for whose preservation many an ardent prayer had gone up to the Father of all spirits.

He died last evening, at 10 o'clock, at his lodgings in this city, after a sickness of no very protracted duration, but of great and excruciating intensity of suffering and agony.—

The ways of a righteous Providence are inscrutable, and while we bow in submissive awe, we yet oppressed with deep and solemn awe.

Our deceased friend and colleague was a native of the State and the district which, so lately, he represented, brought with him the confidence, largely bestowed, of those who had known him from his earliest years. Well did he deserve it. His character for probity, integrity, uprightness, morality, was free from spot or blemish. His principles were well founded. Loving the country of his birth, and its institutions, with all his heart, he pursued with fidelity such measures as his judgment deemed best calculated to promote the welfare of the one and the durability of the other. He was a lawyer by profession, faithful, just, discriminating, attentive, humane, in his practice.

Of manners mild, courteous, affable; and a temper kind, conciliating, patient, he won respect and attachment, even from those who differed with him in matters of opinion; and probably there lives not a human being who has a single resentment, or one unkind recollection, to bury in his grave. He has gone, in the strength of his manhood, and the maturity of his intellect, the road that all must once pass.

—“Excalda, sensu, via lethi.”

The ties that bound him to life are severed forever, to all human ties must be revered.

—“Lamenta tollere, et domine, et manus

Ubi, neque latum, quae colis, arborum

To, pater invaseris ex nos.

Ubi, brevem domum sequitur.

Although, when his eyes opened for the last time upon the earth and the sky, they fell not upon his own native hills; though the soil which shall cover him will not lie in the same influences which clothe them in verdure and beauty; though he died far from his home, the companions and the brothers of his childhood were with him—the sharer of his joys the solace of his griefs, stood by him; and the hand which could best do it assuaged the bitter pangs of parting life. The last earthly sounds which fell upon his ear were tones of sympathy, and kindness, and affection, and support—tones which ceased not, even when they vainly strove to pierce the cold and leaden ear of death.

Tears shall flow copiously, and deep sighs be heaved over his lifeless form; tears not more scalding, sighs not deeper drawn, because mingled with any bitter recollections—and unavailing regrets.

If human means could have availed—if day to announce the death of another member of the delegation in Congress from this State, abiding, self-sacrificing affection, triumphing The Hon. T. J. CARTER is no more. The over exhausted nature and bearing upon a feeble frame, unconscious of weariness, through long the subjoined letter of a correspondent, Mr. and painful vigils, could have saved his life, he

was a native of Bethel, in the County

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of Oxford, and was about 35 years of age, with the federalism of two States—their own, indeed the existing condition of things present. He was a lawyer by profession, having been a student with the late Gov. LINCOLN. He was the most unfortunate for the former, and the county has but two sides—there is no half way. He was one of the most pleasant and amiable men most propitious for the latter. Under a form of government like ours, times of pressure like those which a honest politician can safely take living—and was strongly endeared to a large circle of personal and political friends, who will the present will always operate, to a greater or less stand. Those who oppose the treasury in deeply regret his early death. Although not in the habit of participating in debate, he possessed a sound and discriminating mind—and his opinions were entitled to, as they always received, the respectful attention of his friends. —Eastern Argus.

Legislature of Maine.

HOUSE OF REPRESENTATIVES,

MONDAY, March 19.

The following Resolutions introduced by Mr. Paris were read a second time, and unanimously passed.

Resolved, That the Senate and House of Representatives concurring, that the investigation into the manner and circumstances of the death of JONATHAN CILLEY, late a member of Congress from this State, instituted by the House of Representatives of Congress, was demanded by the people of this State; and it is hereby enjoined upon our Representatives in Congress to use their efforts to prevent any abandonment of the said investigation until all the facts and circumstances are ascertained and reported.

Resolved, That if any member or members of either House of Congress shall be implicated in any conspiracy which led to the violent death of the said JONATHAN CILLEY it will become the imperative duty of Congress to expel such member or members.

TUESDAY March 20.

The following Resolutions introduced by Mr. Vose were unanimously passed:—

Resolved, That the members of this Legislature have received with sentiments of deep regret information of the decease of Hon. TIMOTHY J. CARTER, Representative in Congress, and one of the delegation from Maine, whose amiable deportment and unblemished moral character, having justly entitled him to the respect and affection of his fellow citizens.

Resolved, That we deeply sympathize with his bereaved widow on this melancholy occasion. He was a devoted son of his country, and a friend to all who say, that civilization is upright, of every city.

Resolved, That the Secretary of State be directed to furnish her with a certified copy of these Resolutions.

IN SENATE.

TUESDAY March 20.

Mr Green from the select committee in relation to the Oxford Bank, made a report upon the same, exhibiting the facts in relation to its origin and history, and accompanied by a Resolution, declaring that no such Bank has a legal existence in this State and censuring those individuals who made use of the name of that bank for illicit purposes: The Report having been accepted, Mr Emmons offered an amendment to the Res. to, in advertising upon such of the corpora as named in the Act to incorporate the Oxford Bank, as had entertained a proposition to sell out their interest in that charter after it had expired by its limitation, and thereby afforded an opportunity for the commission of fraud, to those individuals from New York, who availed themselves of it to cheat the public. Messrs Greene, Robinson, Prince and Osborn opposed the amendment, contending that no proposition to sell out the charter had ever been entertained by any of the original corpora except upon the express condition that it could be done legally and with the concurrence of the government of the State in relation to which they entertained doubt, and that no blame whatever could possibly attach to them. Before any question was taken the Res. was laid on the table.

GLORIOUS VICTORY IN N. HAMPSHIRE.

HILL ELECTED BY THREE THOUSAND MAJORITY.

The result in New Hampshire has at length come to hand, and a most glorious one it is. Notwithstanding all the exertions of the federalists, Gov. Hill is re-elected by more than THREE THOUSAND MAJORITY. The recent town elections have exhibited the first fruits of this renewed life and growing unanimity. The old tactics of our opponents—"divide and conquer," has lost its power. They cannot, we believe, now put the result of the political elections upon collateral issues, but must meet, face to face, the real and substantial questions now before the country, and which are pressed by our opponents, are assuming a form of deep and implacable hostility to the rights of the people.

The Patriot adds:—"Men who did not belong to this State have voted in this election. Probably from fifteen hundred to two thousand votes have been added to the federal votes by importations from Maine, Massachusetts and Vermont!"

The Boston Post says:—"Mr Hill, has received the largest number of votes cast by the democrats of New Hampshire—he has been preparing to reconstruct their power, and by means of revolting to every dictate of patriotism and justice, as the end is an undisguised attack on the fundamental principles of our government and an alarming invasion of the liberties of the people. It is now openly proclaimed that the country is to know no prosperity, nor business a respite from their warfare, until the people shall lay down their arms and yield themselves up—the unresisting subjects of a National Bank. This is the real question at issue—that this is the ultimatum of all their efforts—the sum and substance of their policy, is admitted by all the acknowledged organs of the federal party. In yielding upon the floor of Congress to the project of a State Bank those without the State no cause for complaint. Upon no previous occasion, probably, was a deposit system, they adopt, in their judgment, more desperate effort made, than that which the readiest practicable mode of restoring ultimate the entire currency of the country and has just failed to secure the government of the "Granite State" to the federal party. The and the revenues of the government to the democracy of New Hampshire had to contend for guardianship of a great central monopoly. In

From the Eastern Argus

NEW HAMPSHIRE ELECTION.

Considering the result of this election in connection with the circumstances under which it took place, we think the democrats within the State have no reason to be dissatisfied, and the federal party. In yielding upon the floor of Congress to the project of a State Bank those without the State no cause for complaint. Upon no previous occasion, probably, was a deposit system, they adopt, in their judgment, more desperate effort made, than that which the readiest practicable mode of restoring ultimate the entire currency of the country and has just failed to secure the government of the "Granite State" to the federal party. The and the revenues of the government to the democracy of New Hampshire had to contend for guardianship of a great central monopoly. In

with the federalism of two States—their own, indeed the existing condition of things present. He was a lawyer by profession, having been a student with the late Gov. LINCOLN. He was the most unfortunate for the former, and the county has but two sides—there is no half way. He was one of the most pleasant and amiable men most propitious for the latter. Under a form of government like ours, times of pressure like those which a honest politician can safely take in deeply regret his early death. Although not in the habit of participating in debate, he possessed a sound and discriminating mind—and his opinions were entitled to, as they always received, the respectful attention of his friends. —Eastern Argus.

Can any man who understands the character of the cause, to look beyond their own of the American people, doubt the result of the contest, to place the blame upon the shoulders of innocent men—and this disposition, inseparably from human nature, undoubtedly exercised, will be more and more conspicuous as it is to some extent, a detrimental influence upon the republican party.

"And though all the winds of doctrine (says Milton) were let loose to play upon the earth, no truth be in the field, we do injuriously to misdoubt her strength. Let her and falsehood grapple: Whoever knew truth put to worse in a free and open encounter?"

STATE OF MAINE.

BY THE GOVERNOR.

A PROCLAMATION,

FOR A DAY OF

Public Humiliation, Fasting, and Prayer.

The opening year reminds us of the custom of our pious fathers, who laid the foundation of our civil institutions upon the broad basis of religious principle, of designating a day for the whole people to unite in penitent confession of their sins, and humble supplication for a blessing upon the labors of the coming year.

In compliance with a custom so venerable and so useful, I do, with the advice and consent of the Executive Council, appoint Thursday the twelfth day of April next, to be observed by the people of this State, as a day of public humiliation, fasting and prayer. And the people are requested to assemble in their respective places of Public Worship, on that day, to unite in devotional exercises appropriate to the occasion.

May it be regarded as a day for reflection and repentance, in view of our national and collective offences and neglects of duty. May we bow in deep humiliation, that we have received so much and improved so little; that there is so much injustice, immorality, proflanity and intemperance; that the passions and principles of men are so little under the guiding influence of the precepts and doctrines of the Christian religion; that we witness so few of the peaceable fruits of righteousness, and so many of the bitter fruits of unrestrained indulgence.

That as a nation we have been so highly exalted and have so constantly enjoyed the benign smiles of Providence, and have thoughts so much of the gift and so little of the Giver; that our gratitude and obedience have not been proportioned to our favors and obligations; and that our national blessings have so far exceeded our national virtues.

Our sins as a State are the aggregate result of individual offences, may each citizen therefore feel personal responsibility, and confess and forsake his own evil ways, so that we may become a people purified and prepared for our manifold blessings, and ready to ask in humility and hope for a continuance and increase of our enumerated favors.

Let us pray for the health of the community; that the pestilence which walketh in darkness may not visit us—for our rulers, that "they may be just men, fearing God"—for our temporal interests, that success may attend our industry upon sea and land, that the dark cloud that now hangs over us may be dispelled, and that we may learn wisdom and humility from our temporal reverses—for our institutions prostrated whenever his principles and purposes have been unmasked—that we have little apprehension of the result of another encounter.

In the meantime the democracy are becoming more and more firmly united, sectional interests and personal preferences will be laid aside, and sacrificed, on the altar of the public good.

Whilst adhering firmly to their old cherished principles and determined, in no event, to sever political power from the aristocratic and monied interests of the country, and in carrying out the republican principle in relation to the tenure of office, has planted itself upon solid ground, not to be shaken, and is destined to wax stronger and stronger in the confidence of a patriotic intelligent people. In our own State we have an exhibition of the true character of the federalism, contradicting, in one hour of its brief authority, the principles it has proposed to advocate for a half century—endeavoring to aid the operations of the monied system independent of Banks against an opposition whose characteristic hostility has waxed a hundred fold more intense at the prospect of severing political power from the aristocratic and monied interests of the country, and in carrying out the republican principle in relation to the tenure of office, has planted itself upon solid ground, not to be shaken, and is destined to wax stronger and stronger in the confidence of a patriotic intelligent people. 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REPORT OF THE COMMISSIONERS ON THE
NORTH EASTERN BOUNDARY—CONCLUDED.

We have adverted in this place, to some few of the more prominent facts in the history of our boundary controversy, in order that, taken in connection with other facts within the recollection of all, they might enable us to perceive how forbearance has emboldened the spirit of encroachment,—how procrastination on our part, instead of contributing to remove the evil, of which we have so much reason to complain, has constantly been the occasion of aggravating it, and how, at every step since taken, the question has become more and more complicated and embarrassed. Meantime new causes of trouble have begun rapidly to develop themselves. There is danger lest our border difficulties assume a serious aspect. Under these circumstances the peace of the United States, the internal tranquility of the State itself—its growing importance, its general and commercial prosperity, would seem imperiously to require, that the subject matter of this protracted and irritating dispute should be amicably arranged without further delay, if it can be done without too great a sacrifice. In fact, so grave and various were the considerations arising out of the actual state of the controversy a year since, that many who stand high in the confidence of the country, were of opinion, that it would be judicious on the part of Maine, as well as of the United States, to acquiesce in the advice of the Arbitrator. Against the acceptance and ratification of the award by the government of the United States, the Legislature of Maine, on mature consideration of the subject, with great unanimity, solemnly protested; but apprehensive lest the award should be ratified notwithstanding such protest, if the State persisted in rejecting all advances made towards an amicable adjustment, the Legislature, in a spirit of conciliation, agreed to receive and consider, by means of Commissioners, whatever might be proposed on behalf of the United States, with a view to bring the controversy to a speedy and final termination; with the express reservation, however, that the doings of such Commission should, in no respect, be obligatory on the State, until ratified and confirmed by the Legislature itself.

The result of the acts of the Legislature and of the doings of the Commissioners appointed by its authority is, the enclosed provisional agreement already mentioned, and to which we beg leave to refer. It will be perceived by that agreement, that the President of the United States proposes to "open new negotiations with Great Britain, for the purpose of having the line designated by the treaty of 1783, run and marked according to that treaty;" and if that should be found impracticable, "for the establishment of such a new boundary between the dominions of the United States and Great Britain, as should be mutually convenient;" and also "for making arrangements relative to the navigation of the river St. John and the adjustment of other points, that may be necessary for the convenience of the parties interested;" and, that he deems "a cession from the State of Maine of all her jurisdiction and right of soil over the territory" claimed by her, lying north and east of the rivers St. John and St. Francis, "as indispensable to the success of such negotiation." However direct the interest of the State in the question at issue on the one hand, as a foreign government is urging its pretensions on the other, the government of the United States is the only constitutional and competent agent to take charge of the controversy. Still the power of that government over that subject is not unlimited.

The State has its constitutional rights which she may invoke, and which must be respected. It, then, in the progress of the contemplated negotiation, it should be found, that what is demanded as her right by Maine, is now utterly unattainable, and if the State, insisting upon its extreme right, denies to the United States all power under any circumstances, to make even a beneficial compromise; it is well to enquire at this stage of the proceeding, where is the controversy, and the well known state of things, and the onward course of events within the State, to lead us? Hence in order that the President may be enabled to open such negotiation, unembarrassed by conflicting power and jurisdiction, and with a reasonable or possible prospect of bringing the controversy to an amicable close, the proposition, "That the Legislature of Maine should provisionally surrender to the United States, all claim to jurisdiction and right of soil over the territory lying north of the river St. John and east of the river St. Francis as heretofore described," Maine in such case, and in any event to be indemnified for any portion of the territory, thus provisionally surrendered to the United States, if ultimately lost to the State, by adjoining territory to be acquired; and, so far as that should prove inadequate, at the rate of one million of acres of land in Michigan for the claim to and over the whole territory surrendered—said lands, thus to be appropriated, to be sold by the United States at their expense, and the proceeds to be paid without deduction into the Treasury of the State. We deem it proper in connection with this subject to add, that the present minimum price of the public lands of the United States, is one dollar twenty-five cents the acre; that those situated in the territory of Michigan are rapidly coming into the market, and that the demand for them, it is understood, is steady and increasing. We also take the liberty in this place to express the opinion, that should the agreement we have entered into in behalf of the State, be ratified by the Legislature, and should the Congress of the United States by any act of legislation, diminish the value of the lands, proposed to be appropriated and pledged as an indemnity to the State, the United States

would be bound in good faith to further indemnify the State for such diminution in value caused by their own acts. It is with these general views of the subject, and in full and entire confidence in the good faith of the government of the United States, and in the several branches of its high constituted authorities, that we have been induced after the most mature consideration we have been able to give to the subject to accede on our part to the provisional agreement, we now respectfully submit to the wisdom of the Legislature.

With great respect we have the honor to be,

Sir, your obedient servants.
(Signed) WM. P. PREBLE,
REUEL WILLIAMS,
NICHOLAS EMERY.

His Excellency, SAMUEL E. SMITH,
Governor of Maine.

The King of the Netherlands, mutually selected as Arbitrator by the King of the United Kingdom of Great Britain and Ireland, and the President of the United States, and invited to investigate and make a decision upon the points of difference which had arisen under the treaty of Ghent of 1814, in ascertaining that point of the Highlands lying due north from the source of the River St. Croix, designated by the Treaty of Peace of 1783 as the north west angle of Nova Scotia, and in surveying the boundary line between the dominions of the United States and Great Britain, from the source of the river St. Croix directly north to the above mentioned north west angle of Nova Scotia, thence along the said Highlands, which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean, to the north westernmost head of Connecticut river, having officially communicated his opinion that it will be suitable to adopt for boundary between the two States (qu'il conviendra d'adopter pour limite des Etats) a line drawn due north from the source of the river St. Croix, to the point where it intersects the middle of the thalweg of the river St. John; thence the middle of the thalweg of that river, ascending to the point where the river St. Francis empties itself into the river St. John, thence the middle of the thalweg of the river St. Francis, ascending to the source of its south western most branch designated on map A by the letter X, thence a line drawn due west to the Highlands, thence along the said Highlands which divide those rivers that empty themselves into the river St. Lawrence from those which fall into the Atlantic ocean to the north westernmost head of Connecticut river: And the Legislature of the State of Maine having protested and continuing to protest against the adoption by the Government of the United States of the line of boundary thus described by the King of the Netherlands, as a dismemberment of her Territory, and a violation of her constitutional rights. And the President of the United States having appointed the undersigned Secretaries of the Departments of State, of the Treasury, and of the Navy, to meet with such persons as might be appointed by the State of Maine, for the purpose of entering into a provisional agreement as to the quantity and selection of lands of the United States, which the State of Maine might be willing to take, and the President would be willing to recommend to Congress to give for a release on her part of all claim of jurisdiction to, and of her interest in the lands lying north and east of the line so designated as a boundary by the King of the Netherlands: And the Governor of Maine, by virtue of the authority vested in him, having appointed the undersigned, William Pitt Preble, Reuel Williams, and Nicholas Emery, Commissioners on the part of said State, to meet and confer with the said Secretaries of State, of the Treasury, and of the Navy, thus authorized as aforesaid, with a view to an amicable understanding and satisfactory arrangement and settlement of all disputes which had arisen, or might arise, in regard to the North Eastern Boundary of said State and of the United States: And several meetings and conferences having been had at Washington between the eighteenth day of May, and the second day of June, 1832, and the said Commissioners, on the part of the State of Maine, having distinctly declared, that said State did not withdraw her protest against the adoption of the line designated as a boundary by the King of the Netherlands, but would continue to protest against the same, and that it is distinctly understood, that until this agreement shall have been accepted and ratified by the Legislature of Maine, nothing herein shall in any wise be construed as derogating from the claims and pretensions of the said State to the whole extent of her territory as asserted by her Legislature.

Nor shall any thing herein contained, be construed so as to express or imply, on the part of the President, any opinion whatever on the question of the validity of the decision of the King of the Netherlands, or of the obligation or expediency of carrying the same into effect.

(Signed) EDW. LIVINGSTON,
LOUIS McLANE,
LEVI WOODBURY,
WM. P. PREBLE,
REUEL WILLIAMS,
NICHOLAS EMERY.

And the Senate of the United States, did on the 23d day of June, 1832, pass a Resolution in the words following:

Resolved, That the Senate advise the President to open a new negotiation with his Britannic Majesty's Government, for the ascertainment of the Boundary between the possessions of the United States and those of Great Britain, on the north east frontier of the United States, according to the Treaty of Peace of 1783.

Whereupon the Secretaries of State, of the Treasury, and of the Navy, did renew their communications with the Commissioners on the part of the State of Maine, and state it to be

the wish and intention of the President to open a negotiation with the government of Great Britain for the purposes mentioned by the said Commissioners, and also for making arrangements relative to the navigation of the river St. John, and the adjustment of other points that may be necessary for the convenience of the parties interested; but deeming a cession from the State of Maine, of all her jurisdiction and right of soil over the territory heretofore stated as indispensable to the success of such negotiation, the Secretaries of State, of the Treasury, and of the Navy, did declare and propose, that in consideration of such cession, the President will, as soon as the state of the negotiation with Great Britain may render it proper to do so, recommend to Congress to grant to the State of Maine an indemnity for the release on her part, of all right and claim to jurisdiction over, and her interest in, the territory beyond the line so designated by the King of the Netherlands. The said indemnity to consist of one million acres of land to be selected by the State of Maine, and located in a square form, as near as may be, out of the unappropriated lands of the United States within the territory of Michigan—the said lands to be surveyed and sold by the United States at their expense, in the same manner, and under the same regulations which apply to the public lands—and the whole proceeds without deduction, to be paid over to the State of Maine as they shall be received. But if, in the result of any negotiation as aforesaid with Great Britain, the State of Maine shall ultimately lose less of the territory claimed by her, north and east of the rivers St. John and St. Francis, than she would according to the line designated by the King of the Netherlands, the aforesaid indemnity shall be proportioned to the actual loss; and if any new territory contiguous to the State of Maine, not now within her limits, shall be acquired by such negotiation from Great Britain, the same shall be annexed to and be made a part of said State. And a further proportionate deduction shall be made from the indemnity above mentioned. But if such attempt on the part of the President to negotiate, should wholly fail, and in that case, and not otherwise, the proper authority of the United States should, on full consideration, determine to acquiesce in the line designated by the King of the Netherlands, and to establish the same as the north east boundary of the United States, the State of Maine shall be entitled to receive the proceeds of the said million of acres, without any abatement or deduction—which offer the undersigned Commissioners provisionally accede to, and on condition of the due performance, of all and singular, the things which by the declaration of the Secretaries of State, of the Treasury, and of the Navy, and by the proposal aforementioned are to be performed, or intended to be performed, they agree to recommend to the Legislature of the State of Maine, to accept said indemnity, and to release and assign to the United States, all right and claim to jurisdiction, and all her interest in the territory north and east of the line designated by the King of the Netherlands. But it is distinctly understood, that until this agreement shall have been accepted and ratified by the Legislature of Maine, nothing herein shall in any wise be construed as derogating from the claims and pretensions of the said State to the whole extent of her territory as asserted by her Legislature.

Nor shall any thing herein contained, be construed so as to express or imply, on the part of the President, any opinion whatever on the question of the validity of the decision of the King of the Netherlands, or of the obligation or expediency of carrying the same into effect.

(Signed) EDW. LIVINGSTON,
LOUIS McLANE,
LEVI WOODBURY,
WM. P. PREBLE,
REUEL WILLIAMS,
NICHOLAS EMERY.

From the Correspondence of the Eastern Argus.
SKETCHES. NO. 2.

SENATE.

I will continue my sketches, and give you a group—not the phiz of a lawyer among them. It gives me pleasure to present to the mind's eye of your readers, the Hon. J. PRINCE, Senator of Maine to jurisdiction over the territory lying north and east of the line designated by the Arbitrator, and her interest in the same, the said State of Maine and the State of Massachusetts being owners of the land in equal shares; suggesting at the same time the propriety of suspending the conferences until the Senate of the United States, whose advice it had become the duty of the President to take, and before whom his message for that purpose was then under consideration, should finally act in the matter, which suggestion the Secretaries of State, of the Treasury, and of the Navy concurred.

democracy of numbers. Mr. PRINCE is a ready debater, and possessing a discriminating mind, he never rises unless he perfectly understands his subject; and of this he never fails to satisfy his hearers. With such men in the Senate, neither the yeomanry of Oxford nor of the State need fear for the safety of the Republic!

January 1, 1833

120

Saddle & Harness Making,
Chaise Trimming, &c.

S. M. NEWHALL, having taken the stand formerly occupied by W. Leslie, at South Paris, would respectfully invite a share of public patronage.

Saddles, Harnesses, Bridles, Halters, Martingales, Whips, Whiplashes, Trunks, Valises, Carpet Bags, &c.

Constantly on hand, and for sale, cheap for Cash or Produce.

January 1, 1833

120

To the Honorable County Commissioners for the County of Oxford at their June Session, A. D. 1837.

We humbly ask leave to represent, that the County road leading from Wold through Cartilage, East Dixfield to Augustas is in some parts very hilly—We therefore pray your Honors to view a route, and if practicable to locate a road on the same commencing near the dwelling house of Francis E. Elton, Esq. in Cartilage, in an South Easterly direction, through the Winter Hill (so called) to Wilton Hill near the head of Adams, then commencing near Sewall Chase in Dixfield, then descending in the most direct course to Thomas D. Stones in Dixfield, and to discontinue such parts of the old road, as may be rendered unnecessary by the establishment and opening of such new road, and as in due time bound will pray.

DANIEL STORRER & 70 others.

STATE OF MAINE.

OXFORD, Jan. 1.—At a County Commissioners Court begun and held at Paris within and for the County of Oxford on the last Tuesday of October, being the 31st day of the month in the year of our Lord eighteen hundred and thirty seven.

On the foregoing petition, Ordered, That the petitioners give notice to all parties and persons interested, that the County Commissioners will meet at the dwelling house of Simon Tinter in Cartilage, on Thursday the 10th day of May next, at 10 o'clock in the forenoon, when they will proceed to view the route aforesaid of the road through the hill or hilly parts of the same, and if any part of the same is in any way inconvenient, or may be rendered unnecessary by the opening of a new road, or by any other means, they will immediately after such view, and in a convenient place in the vicinity, will give a hearing to the parties and their witnesses, by causing to be read the petition and this order of notice, then and there to be signed on the Clerks of said towns of Cartilage and Dixfield, and of the County Attorney of and County of Oxford and by putting up like copies in three public places in each of said towns of Cartilage and Dixfield, and by publishing the same that the same is subsequently in the Oxford Democrat printed at Paris, the first of said publications, and each of the other notices to be thirty days at least before the time of said meeting, that all persons interested may then and there appear and show cause, if any they have, why the prayer of said petition should not be granted.

Attest—J. G. COLE, Clerk.

Attest—THOMAS CLARK, Clerk.

To the Hon. County Commissioners for the County of Oxford.

THE undersigned, Inhabitants of a place called the Lake Settlement in said County, Respectfully represent that the County Commissioners for and county of Oxford in the fall of 1834 laid out a public road or highway beginning at a spruce tree near Beach Hill, so called, in Township Numbered two in the first Range, Township in the county aforesaid, & running thence in the same direction through a corner of Number three in the second Range, and into Township number three in the second Range of Townships, till it strikes the old road near a house, and over the house where James Wright farm is located. This further represents that a large part of the road after it has run through said Township number two in the direction aforesaid, is in an impossible state and that it will require the sum of eleven hundred dollars to complete the same in a reasonable manner, and that the part of the road which runs through said Township number three in the second Range is still unknown and that it will require the sum of one thousand dollars to open and to make the same possible. The undersigned therefore pray that you will assess such a tax on the above mentioned Townships as you may deem necessary, and take the usual measures to cause the above aforesaid roads to be opened and made.

(Signed) JOHN DODGE & 39 others.

Attest—JOHN DODGE & 39 others.

Attest—JOHN DODGE & 39 others.

Attest—J. G. COLE, Clerk.

Attest—J. G. COLE, Clerk.</

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